

Docket No. ETH1536

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Joseph H. Contiliano et al.

Serial No.: 09/874,218

Art Unit: 3738

Filed

: June 5, 2001

Examiner: William Matthews

For

: ATTACHMENT OF ABSORBABLE TISSUE SCAFFOLD FIXATION

DEVICES

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231 on

November 18, 2003

William K. Wissing (Name of applicant, assignee, or Registered Representative)

(Signature)

November 18, 2003

(Date of Signature)

Romotoer Christa Ropo

Commissioner for Patents Washington, D.C. 20231

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☐ In ac	cordance with $\S1.97(b)$, since this Information		
Disclosure Stat	ement is being filed either within three months		
of the filing d	ate of the above-identified national application		
(other than a c	ontinued prosecution application under		
§ 1.53(d)), with	in three months of the date of entry into the		
national stage	of the above identified application as set forth		
in § 1.491, or b	efore the mailing date of a first Office Action		
on the merits of the above-identified application, or before			
the mailing date of a first Office Action after the filing of a			
request for continued examination under §1.114, no additional			
fee is required.			
☐ In ac	ccordance with §1.129(a), this Information		
Disclosure Statement is being filed in connection with 🗌 the			
first or 🗌 seco	nd After Final Submission, therefore:		
	Statement in Accordance with §1.97(e)		
	(attached); or		
	Please charge Deposit Account No. 10-		
	0750/ / the fee of $$180.00$ as set forth		
	in §1.17(p).		

In accordance with \$1.97(c), this Information Disclosure Statement is being filed after the period set forth in \$1.97(b) above but before the mailing date of either a Final Action under \$1.113 or a Notice of Allowance under \$1.311, or

an action that otherwise closes prosecution and that it is accompanied by one of: Statement in Accordance with §1.97(e) (attached); or Please charge Deposit Account No. 10-冈 0750/ETH1536/WKE the fee of \$180.00 as set forth in §1.17(p). In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in **§**1.17(p). Copies of each of the references listed on the \boxtimes attached Form PTO-1449 are enclosed herewith. Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT: In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith. If any of the foregoing publications are not \Box available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

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There are no listed English language.	references which are not in the	
The relevance of the not in the English language is	ose listed references which are s as follows:	
Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.		
	llowing non-published pending be deemed relevant, which are sion Under MPEP 609 D.	
Please charge any deficience Deposit Account No. 10-0750/Ersubmitted in triplicate.	Respectfully submitted, William K. Wissing Reg. No. 34,757 Attorney for Applicants	
Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-6201 DATED: Noavember 18, 2003		